

CHAPTER XI.

An ACT to authorise a subscription upon the part of this State, to the capital stock of the Oconalufy Turnpike Company.

Whereas by an act of Assembly passed in the year of eighteen hundred and twenty four, chapter twenty nine, relating to the Smoky Mountain Turnpike Company, and authorizing a subscription on the part of this State to the stock of said company, the Treasurer of this State was authorized on behalf of this State to subscribe for one hundred shares of stock at twenty dollars each; and whereas it has been found impracticable to make the said road, and the Legislature in consequence thereof by an act passed in the year of eighteen hundred and thirty one, chapter one hundred and five, incorporated a company to make a Turnpike road from the top of the Smoky mountain down the Oconalufy river as far as the house of John Beck on said river in Haywood county: To the end that the purpose contemplated by both acts may be accomplished,

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the Public Treasurer be, and he is hereby required to subscribe on behalf of this State, in the company created by the said act, passed in eighteen hundred and thirty-one, chapter one hundred and five, the same amount of stock that he was required to subscribe under the aforesaid act passed in eighteen hundred and twenty-four, chapter twenty nine: Provided that no part of the subscription on the part of the State shall be paid by the Public Treasurer, until the road aforesaid shall have been finished and received by the commissioners: and provided further, that the said payment be made out of the fund set apart for Internal Improvement.

CHAPTER XII.

AN ACT amendatory of the act passed in year eighteen hundred and twenty two, entitled an act for the relief of debtors for debts which may be contracted after the first day of May next.

Whereas doubts have arisen, whether an appeal can be taken from the verdict of the jury who may be impannelled to try any issue made up to try whether the defendant hath been guilty of any fraud or concealment of any property, money or effects, agreeably to the act of eighteen hundred and twenty two, entitled an act for the relief of debtors for debts which may be contracted after the first day of May next;

Be it therefore enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, That either party to an issue made up under the provisions of the aforesaid act of eighteen hundred and twenty two, to try whether the defendant hath been guilty of any fraud, or concealment of any property, money or effects, may appeal, under the same rules and regulations as appeals in other cases.

CHAPTER XIII.

AN ACT concerning the probate of Wills made out of the State, and the registration of Deeds and powers of attorney, executed in foreign countries.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That whenever it shall be suggested to the Court of Pleas and Quarter Sessions, in any county in which may be situated lands or other property, that a Will has been made without the State disposing of or changing the same, it shall be competent for said court to order a commission